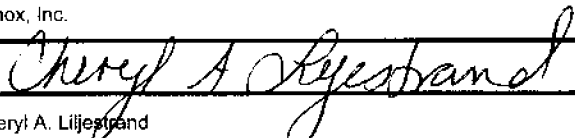


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

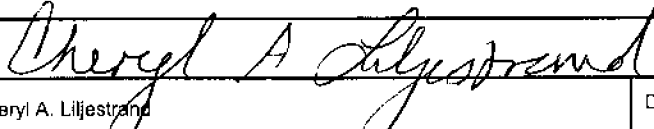
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/589,068	
	Filing Date	August 10, 2006	
	First Named Inventor	Hui LIU	
	Art Unit	TO BE ASSIGNED	
	Examiner Name	TO BE ASSIGNED	
Total Number of Pages in This Submission	14	Attorney Docket Number	Case 1004 US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD <div style="border: 1px solid black; height: 40px; margin-top: 5px;">Remarks</div>	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Declaration 2) Copy of Assignment 3) Copy of PCT Power of Attorney 4) Letter requesting inventor signature

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Tanox, Inc.		
Signature			
Printed name	Cheryl A. Liljestrand		
Date	June 13, 2007	Reg. No.	45,275

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Cheryl A. Liljestrand	Date	June 13, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22315-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/589,068	FIRST NAMED APPLICANT Cheryl A. Liljestrand	ATTY. DOCKET NO. Case 1004 US
---	--	----------------------------------

INTERNATIONAL APPLICATION NO. PCT/US05/04729	
I.A. FILING DATE 02/10/2005	PRIORITY DATE 02/11/2004

Cheryl Liljestrand  
TANOX  
10301 Stella Link Road  
Houston, TX 77025

04-23-07 10:11:21 AM

CONFIRMATION NO. 5871  
371 FORMALITIES LETTER



\*OC000000023376017\*

Date Mailed: 04/13/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 08/10/2006
- Copy of the International Search Report filed on 08/10/2006
- Request for Immediate Examination filed on 08/10/2006
- U.S. Basic National Fees filed on 08/10/2006
- Priority Documents filed on 08/10/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$75 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$240 for a Small Entity:

• **\$65 Surcharge.**

- The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

• **Total additional claim fee(s) for this application is \$ 75**

- **\$75 for 3 total claims over 20.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/589,068	PCT/US05/04729	Case 1004 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:	)	
LUI, Hui et al	)	
	)	Group Art Unit: TO BE ASSIGNED
Serial No.: 10/589,068	)	
	)	Examiner: TO BE ASSIGNED
International PCT Filing Date: Feb 10, 2005	)	
	)	
For: A Method For the Removal of Aggregate	)	
Proteins From Recombinant Samples	)	
Using Ion Exchange Chromatography	)	

Commissioner for Patents  
Alexandria, VA 22313

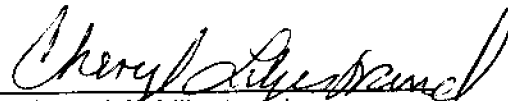
**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. §371**

In response to the Notification of Missing Requirements under 35 U.S.C. §371,  
Applicants hereby submit a declaration signed by one of the inventors along with a petition  
under 37 CFR 1.47. Please charge the late fee of \$65.00 to our deposit account No. 20-  
0087.

In addition please charge the \$75 claim fee and \$100 Search fee to our deposit  
account and any additional fees necessary to place the application for examination.

Respectfully Submitted,

Dated: June 13, 2007

BY:   
Cheryl A. Liljestrand  
Reg. No. 45,275

## COMBINED DECLARATION AND POWER OF ATTORNEY

### Attorney's Docket TNX-1004

As a below named inventor, I hereby declare that:

This declaration is for an original application.

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original and first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### A METHOD FOR THE REMOVAL OF AGGREGATE PROTEINS FROM RECOMBINANT SAMPLES USING ION EXCHANGE CHROMATOGRAPHY

the specification of which was filed on February 11, 2004.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which I know to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, 1.56.

As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Cheryl A. Liljestrand  
Reg. No. 45,275

Send correspondence and direct telephone calls to:

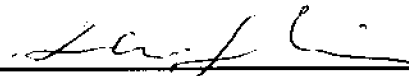
Cheryl Liljestrand  
Tanox, Inc.  
10301 Stella Link  
Houston, TX 77025-5497  
(713) 578-4000

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America, or Section 119(e) for provisional applications, that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the Office information which I know to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of these applications:

US Provisional Patent Application No. 60/521,047, filed February 11, 2004 and  
US Provisional Patent Application No. 60/568,374, filed May 5, 2004.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of **first inventor**: **Hui LIU**

Inventor's signature: 

Date: July 28, 2004

Country of Citizenship: United States

Residence and Post Office Address: 2630 Bissonnet St., Apt. 156  
Houston, TX 77005

Full name of **second inventor**: **Ke TANG**

Inventor's signature: \_\_\_\_\_

Date:

Country of Citizenship: United States

Residence and Post Office Address: 5415 Braesvalley #770  
Houston, TX 77096

# PCT

## POWER OF ATTORNEY

(for an international application filed under the Patent Cooperation Treaty)

(PCT Rule 90.4)

The undersigned applicant(s) (Names should be indicated as they appear in the request):

TANG, Ke  
5415 Braesvalley #770  
Houston, Texas 77096  
US

hereby appoints (appoint) the following person as:



agent



common representative

**Name and address**

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

LILJESTRAND, Cheryl A. (Reg. No. 45,275)  
Tanox, Inc.  
10301 Stella Link Road  
Houston, TX 77025  
US

to represent the undersigned before



all the competent International Authorities



the International Searching Authority only



the International Preliminary Examining Authority only

in connection with the international application identified below:

**Title of the invention:** Aggregate Removal from Biologicals Using Ion Exchange Chromatography

**Applicant's or agent's file reference:** Case 1004

**International application number (if already available):**

filed with the following Office United States Patent and Trademark Office as receiving Office  
and to make or receive payments on behalf of the undersigned.

**Signature of the applicant(s)** (where there are several applicants, each of them must sign, next to each signature, indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading the request or this power):

  
Ke TANG

Date: Feb. 1, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:	)	
LIU, Hui et al.	)	
	)	Group Art Unit: TO BE ASSIGNED
Serial No.: 10/589,068	)	
	)	Examiner: TO BE ASSIGNED
Filed: August 10, 2006	)	
	)	
For: A Method For the Removal of Aggregate	)	
Proteins From Recombinant Samples	)	
Using Ion Exchange Chromatography	)	

Commissioner of Patents  
Alexandria VA 22313

Dear Sir:

**PETITION UNDER 37 C.F.R. § 1.47(a)**

Applicants hereby submit Application No. 10/589,068 filed August 10, 2006, under 37 C.F.R. § 1.47. A declaration signed by one inventor on behalf of all joint inventors is attached. Please charge the fee of \$200.00 for this petition to our deposit account 20-0087. Please charge any additional fees necessary to place the application in condition for examination to this account.

Inventor Ke Tang left Tanox (Assignee) prior to the filing of this National Stage Application and attempts to contact the inventor were made several times prior to the filing of the application but the inventor could not be reached (See Exhibit A). To our knowledge, her correspondence address is:

Ke Tang  
5415 Braesvalley #770  
Houston, TX 77096  
(774)-262-2909

As designated representative for Tanox, Inc. and having direct, firsthand knowledge, I hereby state that the inventor Ke Tang could not be reached for signature on the attached declaration. Attached is a copy of the letter included with the Declaration and copy of the Application requesting signature. In addition, several voice mails were left requesting a return phone call. Tanox also submits a copy of the




Power of Attorney submitted with the PCT application from which this application was filed that contains inventor Ke Tang's signature.

Tanox, as Assignee holding all rights, title and interest in the Invention, (Reel 014323/Frame0471 recorded Feb 11, 2004) hereby submits this application under 37 C.F.R. § 1.47(a).

Respectfully Submitted,

Dated: June 13, 2007.

BY:   
Cheryl A. Liljestrand  
Reg. No. 45,275



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*8000102204\*

FEBRUARY 11, 2004

PTAS

TANOX, INC.  
10301 STELLA LINK  
HOUSTON, TX 77025

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/11/2004

REEL/FRAME: 014323/0471  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
LUI, HUI

DOC DATE: 02/03/2004

ASSIGNOR:  
TANG, KE

DOC DATE: 02/03/2004

ASSIGNEE:  
TANOX, INC.  
10301 STELLA LINK, SUITE 110  
LEGAL DEPT.  
HOUSTON, TEXAS 77025

SERIAL NUMBER: 60521047  
PATENT NUMBER:

FILING DATE:  
ISSUE DATE:

014323/0471 PAGE 2

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

## **ASSIGNMENT**

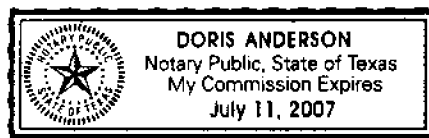
IN CONSIDERATION OF remuneration paid to us by Tanox, Inc., the receipt and sufficiency of which is hereby acknowledged, and for other good and valuable consideration, Hui LU and Ke TANG, hereinafter called "Assignors", having made an invention and commissioned Assignee to file a patent application thereon entitled "A METHOD FOR REMOVAL OF AGGREGATE PROTEINS FROM RECOMBINANT SAMPLES USING ION EXCHANGE CHROMATOGRAPHY", Assignee's Attorney Docket No. TNX-1004, do hereby assign, sell, grant, and convey to Tanox, Inc., a corporation organized and existing under the laws of the State of Delaware, having a place of business at 10301 Stella Link, Houston, Texas, 77025, hereinafter called "Assignee," and to its successors and assigns, Assignors' entire right, title and interest throughout the world in and to:

1. Said Invention on "A METHOD FOR REMOVAL OF AGGREGATE PROTEINS FROM RECOMBINANT SAMPLES USING ION EXCHANGE CHROMATOGRAPHY";
2. U.S. and all other counterpart patent applications relating to said Invention, including U.S. Provisional Applications, Non-provisional Applications, Continuations, Divisionals, and PCT Applications, etc.;
3. All applications for patent or like protection grants on said Invention that have now been or may in the future be made, whether in the United States of America or in any other country or jurisdiction;
4. All patents and like protection that may in the future be granted on said Invention, whether in the United States of America or in any other country or jurisdiction;
5. All patent applications claiming priority to, substitutions, renewals, reissues, extensions, and the like of said applications and patents and like protection grants, including without limitation, those obtained or permissible under past, present and future law statutes;
6. All rights of action on account of past, present and future unauthorized use of said Invention and for infringement of said patents and like protection grants;
7. The right to Assignee to file, as appropriate, in its name or in Assignor's name, applications for patents and like protection grants for said Invention in any country or jurisdiction; and
8. All international rights of priority associated with said Invention, applications patents and like protection grants;

9. Assignor covenants that the Assignor, heirs, legal representatives, assigns, administrators, and executors will, at the expense of Assignee, its successors and assigns, execute all papers and perform such other acts as may be reasonably necessary to give Assignee, its successors and assigns, the full benefit of this Assignment, including assisting in filing, prosecuting, enforcing or defending the above-identified patents and patent applications.

BEFORE ME, the undersigned authority, on this day did personally appear the person named below, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and consideration therein expressed.

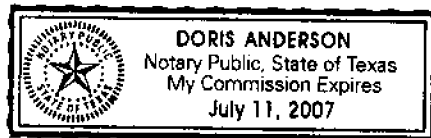
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 3<sup>rd</sup> day of Feb., 2004.



[Signature]  
Notary Public

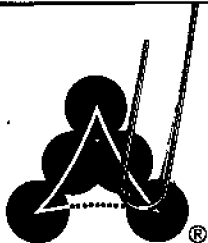
[Signature]  
Hui F. LIU

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 3<sup>rd</sup> day of Feb., 2004.



[Signature]  
Notary Public

[Signature]  
Ke TANG



**Tanox, Inc.**

**CORPORATE**  
10555 Stella Link  
Houston, TX 77025-5631  
(713) 578-4000 • (713) 578-5005 (Fax)

**MAILING ADDRESS**  
10301 Stella Link  
Houston, TX 77025-5445  
(713) 578-4000 • (713) 578-5004 (Fax)

July 18, 2006

**Via Priority Mail**

Ke Tang  
5415 Braesvalley #770  
Houston, Texas 77096

RE: U.S. National Stage Filing of PCT/US2005/004729  
A METHOD FOR THE REMOVAL OF AGGREGATE PROTEINS  
FROM RECOMBINANT SAMPLES USING ION EXCHANGE  
CHROMATOGRAPHY  
Our Ref. No. Case 1004 US

Dear Ke:

We are currently in the process of filing National Stage applications in the above-referenced matter. Enclosed is an Inventors Declaration for execution. Please execute where indicated and return the original executed copy to me by **August 1, 2006**.

If you have any questions, please let me know.

Sincerely,

Amber S. Collins  
Intellectual Property Paralegal

Enclosures